

**INSTRUCTIONS FOR YOUR ENFORCEMENT HEARING
(Child support, health care expenses, childcare expenses)**

Try to arrive at your hearing at least 15 minutes before your hearing is scheduled. Once you arrive at the courtroom for your hearing, you should ask the clerk of the district court how to let the judge know that you are there for your contempt hearing.

When the court calls your case, you will be asked if you are ready to proceed. You must tell the court that you are ready and would like to testify. You will be asked to take the stand and the court will give you an oath to tell the truth. You are then ready to go forward with your case.

You must testify to the following:

1. My name is _____ . I live at _____ ,
(your full name) (your current street address)
in _____ , and I am the _____ in this case.
(city and state where currently living) (plaintiff or defendant)

2. I request that the court take judicial notice of the file, including all previous support orders and the Order to Show Cause and the sheriff's return showing _____ has been served with a copy of the
(name of person you are filing against)
Order to Show Cause.

3. _____ and I are the parents of _____ child(ren).
(name of person ordered to pay support) (number of children)
_____ of these child(ren) are/is not yet 19 years old.
(number of children under 19)

4. The child support order currently in effect was entered on _____ ,
(date of most recent order for child support)
and has not been modified. In that order, _____ was ordered
(name of person ordered to pay support)
to pay the following: (Check/read the statements that apply:)

(a) Child support of \$ _____ per month for _____ children
(amount of support) (number of children)

\$ _____ per month for _____ children
(amount of support) (number of children)

\$ _____ per month for _____ children
(amount of support) (number of children)

\$ _____ per month for one child.
(amount of support)

(b) _____ percent of all non-reimbursed reasonable
(percent of health care costs currently ordered to be paid)
and necessary child(ren)'s health care costs in excess of \$480 per
child per year.

(c) _____ percent of any childcare costs which
(percent of childcare expenses currently ordered to be paid)
are due to my employment or to allow me to obtain training or
education necessary to obtain a job or enhance earning potential.

5. (Choose one or more of the following, depending on whether you are asking the court to enforce the order for child support, health care costs, or childcare costs:)

a. _____ has not paid the child
(name of person ordered to pay child support)
support the court ordered.

b. _____ has not paid the
(name of person ordered to pay health care expenses)
health care expenses the court ordered.

c. _____ has not paid the
(name of person ordered to pay childcare expenses)
childcare expenses the court ordered.

6. (If you are seeking enforcement of child support, continue with these statements:)

a. May I approach the court reporter and have the certified copy of the payment history and the child support arrearages marked as an exhibit? (If permission is granted, have the certified copy marked as an exhibit, and then ask permission to show it to the other side.)

b. I offer Exhibit _____ into evidence. (If the judge
(number assigned by court reporter)
receives it, hand it to the judge.)

c. _____ now owes
(name of person ordered to pay child support)
\$ _____ in back child support and
(amount owed — amount is shown on the payment history)
has refused to pay it. _____
(name of person ordered to pay child support)
is able to earn sufficient income to pay the support.

7. (If you are seeking enforcement of health care costs, continue with these statements:)

a. During the time of _____,
(state period of time covered by bills you are trying to collect)
I have incurred \$ _____ in health care expenses for
(total amount of expenses incurred)

_____. I have been reimbursed
(name of child incurring expense)

\$ _____ by the insurance company for these expenses.
(amount reimbursed by an insurance company)

I gave _____ notice of these
(name of person ordered to pay health care expenses)
expenses, but I have not yet received any reimbursement for
them, nor has the medical provider been paid directly by

_____.

(name of person ordered to pay health care expenses)
(*Repeat this statement for each child who has expenses for which
you are seeking reimbursement.)

b. (If you have copies of the medical bills, you should have them
marked as an exhibit.) May I approach the court reporter and have
the medical bills marked as an exhibit? (If permission is granted have
the bills marked, and then ask permission to show the exhibit to the
other side.)

c. I received these medical bills, which have been marked as
Exhibit(s) _____, from the doctors, hospitals, clinics
(number assigned by court reporter)

(others) shown on the bills.

d. I offer Exhibit(s) _____ into evidence. (If the judge
(number assigned by court reporter)
receives it, hand it to the judge.)

e. The balance owing on _____'s share of
(name of person ordered to pay health-related expenses)

the medical expenses is \$ _____. I have asked for
(amount owed on health care expenses)

payment, and _____ has refused to pay.
(name of person ordered to pay health care expenses)

_____ is able to earn
(name of person ordered to pay health care expenses)

sufficient income to pay the health care expenses.

8. (If you are seeking enforcement of childcare expenses, continue with these statements:)

a. During the time _____
(state period of time covered by expenses you are trying to collect)
I have incurred \$ _____ in child-care expenses for
(amount of childcare expenses you are seeking to collect)
my children, _____.
(names of child(ren))

I gave _____ notice of these expenses, but
(name of person ordered to pay childcare expenses)
have not yet received any reimbursement for them nor has the child-
care
provider been paid directly by _____.
(name of person ordered to pay childcare expenses)

b. This child care was necessary because (choose statements that apply):

(1) I was working;

(2) I was in training for a job;

(3) I was in school so that I could get a job or have a better chance to increase my earning ability.

c. I received childcare bills from the provider.

d. (If you have copies of the childcare bills, you should have them marked as an exhibit.) May I approach the court reporter and have the childcare bills marked as an exhibit? (If permission is granted have the bills marked and then ask permission to show the exhibit to the other side.)

e. I offer Exhibit(s) _____ into evidence.
(number assigned by court reporter)

(If the judge receives it, hand it to the judge.)

f. The balance owing on _____'s share of the
(name of person ordered to pay childcare expenses)
childcare expenses is \$ _____. I have asked for payment and
(amount for which you are asking reimbursement)
_____ has refused to pay.
(name of person ordered to pay childcare expenses)
_____ is able to earn
(name of person ordered to pay childcare expenses)
sufficient income to pay the childcare expenses.

9. (Use this statement if the person required to pay support is employed:)

_____ is employed.

(name of person ordered to pay support)

(Give further information about the employment, such as the name of the employer, wages and length of time on the job, if you know it.)

_____ is able to pay the support, but has

(name of person ordered to pay support)

intentionally not made the payments the court ordered.

10. (Use this statement if the person required to pay support is not employed:)

_____ is not currently working.

(name of person ordered to pay support)

I believe _____ is healthy and

(name of person ordered to pay support)

capable of earning wages.

The last employment I am aware that _____

(name of person ordered to pay support)

had was: _____.

(name of last known employer)

(Give any information you have about that employment:)

11. _____ *has intentionally*
(name of person ordered to pay support)
refused to pay (choose the orders you are seeking to enforce:) child support, health
care expenses, and/or childcare expenses.

12. *I request that you find* _____
(name of person ordered to pay support)
in contempt of court for failing to pay (choose the orders you are seeking to
enforce:) child support, health care expenses, and/or childcare expenses.

13. *I have nothing further, your Honor.*